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EXAMINER

RYAN, PATRICK A

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/675,410	<b>Applicant(s)</b> KARAOGUZ ET AL.	
	<b>Examiner</b> PATRICK A. RYAN	<b>Art Unit</b> 2427	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This Office action is made in response to Amendment Under 37 C.F.R. § 1.114, filed August 2, 2010 ("Reply"). Applicant has made no claim alterations. As previously presented, Claims 1 through 33 are presented for examination.

2. In Office action of February 2, 2010 ("Office Action"):

Claims 1 through 33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Berezowski et al. (US PG Pub 2002/0016971 A1), in view of Ellis et al., United States Patent (6,774,926 B1), in view of Parker et al. (US PG Pub 2004/0125789 A1), and in further view of Schoen et al. (US Patent 7,321,969 B2).

### *Response to Arguments*

3. Applicant's arguments, see Reply Pages 14-30, with respect to Claims 1, 13, 20, and 26 have been fully considered, but are not persuasive.

4. Applicant presents that the combination of Berezowski, Ellis, Parker, and Schoen does not teach, suggest, or disclose "communication of the at least one user defined media channel to other members that are at separate and distinct locations from the first home, in a peer-to-peer manner, from the first home" for the following reasons (with italicized portions quoted from Applicant's Reply):

a. *The above portion of Ellis does not, however, teach, suggest, or disclose "**communication of the at least one user defined media channel to other members** that are at separate and distinct locations from the first home, **in a peer-to-peer manner, from the first home,**" as asserted by the Office. Instead, the cited portion of Ellis simply teaches a "contributor" entering and submitting*

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*"scheduling information" to a remote server over the Internet.* (Reply Pages 17-18, in response to the Examiner's citation of Ellis Col. 11 Line 65—Col. 12 Line 3).

It is the Examiner's position that this cited portion of Ellis reads on the claimed "communication of the at least one user defined media channel to other members that are at separate and distinct locations from the first home" because Ellis demonstrates that "[o]ption 204 of screen 196 may be used by the contributor to establish the schedule date on which the program is to be shown..." and that "[o]ption 206 and 208 may be used to establish the starting and ending times for the scheduled program." The Examiner additionally notes that Ellis discloses that "[s]chedule data may accompany the videos or use the same distribution path as the videos..." (Col. 8 Lines 15-17). It is the Examiner's position that Ellis allows a contributing user to define when media is presented to the viewing user, such that the scheduled program is only communicated to a Viewer according to the date and time defined by a Contributor. Although formally presented in section (c) below, the Examiner additionally notes that Ellis clearly demonstrates the claimed "media channel" by way of "a contributor may create video for personal television channel programming" (Col. 12 Lines 19-20), where the scheduling Screen 196 (of Fig. 14) constitutes a "graphical representation".

b. *Applicants respectfully submit that the portion of Ellis shown above does not, however, teach, suggest, or disclose "**communication of the at least one user defined media channel to other members** that are at separate and distinct locations from the first home, **in a peer-to-peer manner, from the first home**," as asserted by the Office. Instead, the cited portion of Ellis describes distribution of "scheduling information" from one or more servers to "user equipment" as a stream, a periodic transmission, upon demand, or "other suitable scheme[]." (Reply Pages 18-19, in response to the Examiner's citation of Ellis Col. 4 Lines 59-67)*

In addition to the reasoning cited above in section (a), the Examiner notes that Ellis discloses that scheduling information "may be distributed in real time without storage" and data distribution may involve "distributed architectures". It is the Examiner's position that this cited portion of Ellis demonstrates the claimed "communication... in a peer-to-peer manner" because a distributed architecture may be used for data distribution.

c. *The cited portion of Ellis shown above does not teach, suggest, or disclose that any "distribution" of the captured video is "user scheduled" (i.e., according to the "scheduling information" submitted by the "contributor"), which the Office seems to suggest teaches the related aspect of Applicants claim 1, nor does Ellis teach that such "captured video" comprises a "graphical representation" of a "user selected and scheduled sequence" of "media content," as more completely recited by claim 1. [and] Although Ellis discloses that "[s]chedule information may be distributed to user equipment 34 from data storage facility 52 over communications network 40" (col. 4, lines 69-61), the cited portion of Ellis does not teach that the "user equipment 34" uses such "scheduling information" for scheduling communication of the "captured video." (Reply Pages 19-21, in response to the Examiner's citation of Ellis Col. 12 Lines 17-25)*

It is the Examiner's position that Applicant's arguments summarized in section (c) have been addressed above in section (a).

d. *The cited portion of Ellis shown above describes additional steps of FIG. 15, and also mentions a "contributor" providing "schedule information" to "data storage facility 52." In this cited passage, Ellis explains that video for the "personal television channel programming" may be transmitted from "user equipment 34," and may be transmitted in "real time" or may be played back from a suitable storage device, received at an intermediate transmission facility, and retransmitted upon demand or at a scheduled broadcast time. Such retransmission is not, however, **"communication of the at least one user defined media channel to other members** that are at separate and distinct locations from the first home, **in a peer-to-peer manner, from the first home,"** as required by claim 1. Applicants respectfully submit that this portion of Ellis*

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*does not make any mention of the "user equipment 34" operating according to the "schedule information" submitted by the "contributor" to "data storage facility 52," previously discussed above. In addition, Ellis does not teach, suggest, or disclose that "the video for the personal television channel programming" transmitted by the "contributor" comprises "a graphical representation of a user selected and scheduled sequence of media content," but is instead simply "video." (Reply Pages 21-22, in response to the Examiner's citation of Ellis Col. 12 Lines 26-57)*

It is the Examiner's position that Applicant's arguments summarized in section (d) have been addressed above in sections (a) and (b).

e. *The cited portion of Ellis at col. 13, line 29 to col. 14, line 32 does not, however, teach, suggest, or disclose, at least, **"communication of the at least one user defined media channel to other members that are at separate and distinct locations from the first home, in a peer-to-peer manner, from the first home,"** as required by claim 1. (Reply Pages 23-24, in response to the Examiner's citation of Ellis Col. 13 Line 29—Col. 14 Line 32)*

It is the Examiner's position that Applicant's arguments summarized in section (e) have been addressed above in sections (a) and (b). The Examiner additionally notes that this portion of Ellis further demonstrates the "graphical representation of a user selected and scheduled sequence" from the Viewer perspective, in that "[t]he information may include the program description information that the contributor provided using option 212 (FIG. 14)" (Ellis at Col. 13 Lines 44-47). Additionally, Ellis further demonstrates the "peer-to-peer manner" of communication by "making personal television channel programming from the contributor available to viewers in other cable systems or to other viewers in the same cable system" (Ellis at Col. 14 Lines 28-31).

f. *The cited portion of Ellis at col. 7, lines 27-37 does not teach a "contributor" communicating such a "media channel" comprising "a graphical representation of a user selected and scheduled sequence" of "media content" comprising "audio and/or video," but instead describes distribution of only*

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*"videos," and makes no mention of a "graphical representation" being distributed. (Reply Pages 24-25, in response to the Examiner's citation of Ellis Col. 7 Lines 27-37)*

It is the Examiner's position that Applicant's arguments summarized in section (f) have been addressed above in sections (a), (b), and (e).

In view of the above, the Examiner submits that combination of Berezowski, Ellis, Parker, and Schoen does in fact teach the Claim 1 limitation of "communication of the at least one user defined media channel to other members that are at separate and distinct locations from the first home, in a peer-to-peer manner, from the first home" and as similarly recited in Claims 13, 20, and 26.

5. Applicant presents additionally that the combination of Berezowski, Ellis, Parker, and Schoen does not teach, suggest, or disclose "first software that maintains a user defined group of users comprising the first and second users, wherein the user defined group of users is closed and secure with respect to others that are not members of the user defined group of users, wherein a member within the user defined group of users can privately share media content comprising audio and/or video with one or more other members within the user defined group of users" because (with italicized portions quoted from Applicant's Reply):

*Applicants respectfully submit that Applicants' claim 1 recites that Applicants' claimed "user defined group of users" includes "the first and second users." The cited portion of Schoen, however, does not teach, suggest, or disclose that the user who selects the "desired group of buddies" is a member of the "secured buddy list." Thus, Applicants respectfully submit that Schoen does not teach that a "secured buddy list" of one of a "first user" and a "second user," that may include the other of the "first user" and "second user," would*

include both of the "first user" and the "second user," as required by claim 1.  
(Reply Pages 27-29).

It is the Examiner's position that Claim 1 does not require "that the user who selects the 'desired group of buddies' is a member of the 'secure buddy list'" (as argued by Applicant) because the claim does not define who selects the "user defined group of users". In particular, Schoen discloses that the buddy list is used "to designate whether or not that buddy should receive and send encrypted information and/or signed information" (as disclosed in Col. 11 Line 1-5; with further reference to "originator" and "recipients", as described in Col. 13 Lines 52-64).

Therefore, the Examiner submits that combination of Berezowski, Ellis, Parker, and Schoen does in fact teach the Claim 1 limitation of "first software that maintains a user defined group of users comprising the first and second users, wherein the user defined group of users is closed and secure with respect to others that are not members of the user defined group of users, wherein a member within the user defined group of users can privately share media content comprising audio and/or video with one or more other members within the user defined group of users" and as similarly recited in Claims 13, 20, and 26.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and



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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 through 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berezowski et al. (US PG Pub 2002/0016971 A1) hereinafter "Berezowski", in view of Ellis et al., United States Patent (6,774,926 B1) hereinafter "Ellis", in view of Parker et al. (US PG Pub 2004/0125789 A1) hereinafter "Parker", and in further view of Schoen et al. (US Patent 7,321,969 B2) hereinafter "Schoen".

8. In regards to Claim 1, Berezowski teaches a system supporting the exchange of media in a communication network (as shown in Figs. 1 and 2, with multiple identical User Television Equipment 130s), the system comprising:

a first television display, at a first home, to support the consumption of media comprising audio and/or video (Output Device 146 of Fig. 1, as described in Paragraph [0050]);

at least one first media peripheral, at the first home, for the production of media comprising audio and/or video (Audio/Visual Equipment 150 such as Video Camera 152 of Fig. 1, as described in Paragraph [0053]);

a first storage, at the first home, for storing media comprising audio and/or video, the first storage communicatively coupled to the first television display (Storage Device 144 that can transmit information to Output Device 146, as shown in Fig. 1 and described in Paragraphs [0049-0050]; with further reference to exchange of video and audio, as disclosed in Paragraphs [0050-0053, 0127-0130]);

a first set top box circuitry, at the first home, communicatively coupling the first television display and the at least one first media peripheral to the communication

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network (Set-top Box 142 of Fig. 1, as described in Paragraphs [0048-0051]; with further reference to Communications Links 104, 136, 138, and 190, as described in Paragraphs [0047-0060]);

a second television display, at a second home, to support the consumption of media comprising audio and/or video (second User Television Equipment 130 of Fig. 1 having Output Device 146, as described in Paragraph [0050]);

a second set top box circuitry, at the second home, communicatively coupling the second television display to the communication network (Set-top Box 142 of Fig. 1, as described in Paragraphs [0048-0051]; with further reference to Communications Links 104, 136, 138, and 190, as described in Paragraphs [0047-0060]).

Berezowski additionally discloses providing users with a guidance application in order to facilitate the retrieval of stored audio and video information (Paragraphs [0058-0059]) and organizing the presentation of real-time video feeds, such as that of Fig. 5 (Paragraphs [0078-0080]; with further reference to Paragraphs [0127-0130]).

Berezowski also teaches that information can be shared between two geographically disparate systems (Paragraph [0060-0061, 0127-0128]).

However, within the disclosure of Berezowski, it is unclear whether a graphical user interface, at the first home, having at least one view comprising a graphical representation of at least one user defined media channel for the communication of media comprising audio and/or video, the at least one user defined media channel comprising a graphical representation of a user selected and scheduled sequence of media content comprising audio and/or video, the graphical user interface operable to

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allow a user to immediately establish and/or to schedule automatic establishment of one or more streaming media sessions; second software resident in a first memory at the first home configured to enable a user at the first home to construct, at the first home, the at least one user defined media channel; and communication of the at least one user defined media channel to other members that are at separate and distinct locations from the first home, in a peer-to-peer manner, from the first home.

In a similar field of invention, Ellis teaches a method and system in which “contributors”, such as individuals in a home, create personal television programs that can be distributed to multiple “viewers” over a communications network (Abstract). In particular, Ellis discloses that a Contributor 102 establishes times and dates in which the personal media is to be distributed and received by the Viewer 104 by way of Screen 196 of Fig. 14 (as described in Col. 11 Line 65—Col. 12 Line 3; with further reference to Col. 4 Lines 59-67). The Contributor can then use Submit Option 214 to transmit the personal channel to the Viewer, where the personal channel can then be played back in real time or from a suitable storage device (as described in Col. 12 Lines 8-53 and Col. 13 Line 29—Col. 14 Line 32; with further reference to the method of Fig. 15 and Col. 7 Lines 27-37).

Berezowski and Ellis each teach similar systems and techniques for supporting the exchange of media in a communication network. Berezowski teaches the use of a guidance application in order to aid in the retrieval, organization, and distribution of real-time and locally stored information. Ellis additionally teaches a graphical interface for allowing a contributing individual to establish times and dates in which to present

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personal media; where the personal media can be played back in real-time or from a local storage device. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and system of Berezowski to include the graphical interface for scheduling the distribution of personal media, as taught by Ellis, in order to provide the contributing user with greater control over the presentation of personal media content (as Ellis suggests in Col. 1 Lines 8-56).

Berezowski further teaches that information can be transferred between the two geographically disparate systems using networks such as a dial-up connection, integrated services designated network (ISDN), digital subscriber lines (DSL), a local area network connection (LAN), or a wide area network connection (WAN) (as disclosed in Paragraph [0128]). In addition, Berezowski discusses in Paragraph [0013] requiring users attempting to share information over the communications network to be verified by way of password access to a central server; with further reference to Paragraph [0128].

However, the combination of Berezowski and Ellis does not explicitly teach the first set top box circuitry having a first network address associated with a first user; the second set top box circuitry having a second network address associated with a second user; and first software that maintains a user defined group of users comprising the first and second users, wherein the first software receives a request identifying one of the associated first and second network addresses, and responds by identifying the other of the associated first and second network addresses to support transmission of the media

from the at least one first media peripheral to the second television display for consumption in a real time manner.

In a similar field of invention, Parker teaches a method and system for conducting two-way video telephony over a communications network such as the Internet (Abstract, Paragraph [0016]). Parker further teaches that devices on the communications network, such as Computer Workstation 12 and Set-top Box 21 of Fig. 1, are identified using data network addresses, such as Internet Protocol addresses, to enable the devices to exchange network packets or datagrams (as disclosed in Paragraph [0019]). In addition, Parker teaches Video Telephony and Record Database Server 35 for storing and making available to Service Provider 17 digital data pertaining to Requester 24 (as disclosed in Paragraph [0018]). Parker further discloses in Paragraph [0019] that when Requester 24 initiates a video telephony session with Service Provider 17 the IP addresses required for the two-way video connection can be preconfigured or can be determined using a lookup table maintained by Server 35. Parker also teaches the ability of a Requester 24 to select among multiple predefined service providers or enter identifying information using a computer mouse or keyboard (as disclosed in Paragraphs [0023]; with further reference to Paragraphs [0027-0034]).

Each of Berezowski, Ellis, and Parker teach two-way video distribution methods over Internet based communication systems. Berezowski teaches user verification and authorization by way of a password prior to sharing information over the network. Parker teaches registering IP addresses with a central server and allowing users to establish two-way communications using the associated IP addresses. It would have

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been obvious to one skilled in the art at the time the invention to combine the exchange of media as taught by the Berezowski and Ellis with the system of the Parker in order to provide an accurate and reliable manner in which to transfer video between two locations in a real-time manner. A person of ordinary skill in the art would have been motivated to make such a modification to the Berezowski and Ellis references in order to allow for the proper routing and exchange of network packets between devices over a data network.

The combination of Berezowski, Ellis, and Parker does not explicitly teach wherein the user defined group of users is closed and secure with respect to others that are not members of the user defined group of users, wherein a member within the user defined group of users can privately share the media content comprising audio and/or video with one or more other members within the user defined group of users and the second software also configured to enable closed and secure communication within the user defined group of users.

In a similar field of invention, Schoen teaches a method and system for facilitating instant messaging using a secure instant message group policy certificate (Abstract). In particular, Schoen teaches the use of Instant Messaging Server 12 of Fig. 1 that is in communication with Instant Messaging Devices 14 and 16, such as televisions (as disclosed in Col. 6 Lines 1-43). Schoen further teaches allowing a user to select a desired group of buddies for designation on a secured buddy list (as described in Col. 10 Line 53—Col. 11 Line 47 and shown in Steps 400-404 of Fig. 4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method and system of two-way video distribution over Internet based communication systems, as taught by the combination of Berezowski, Ellis, and Parker, with the user designation of user groups on a secured buddy list maintained by a central server, as taught by Schoen, in order to prevent users outside of a designated group from accessing private or confidential information (as Schoen discusses in Col. 2 Lines 18—Col. 3 Line 20).

9. In regards to Claim 2, the combination of Berezowski, Ellis, Parker, and Schoen teach the system of Claim 1 wherein the media comprises one or more of a still image, and/or data (Berezowski teaches the exchange of data in the form of video and audio information, as disclosed in Paragraphs [0050-0053, 0127-0130]).

10. In regards to Claim 3, the combination of Berezowski, Ellis, Parker, and Schoen teach the system of Claim 2 wherein consumption comprises one or more of playing digitized audio, displaying a still image, displaying video, and/or displaying data (Berezowski teaches the display of video and audio information of Output Device 146, as described in Paragraphs [0050-0053]).

11. In regards to Claim 4, the combination of Berezowski, Ellis, Parker, and Schoen teach the system of Claim 1 wherein the associated first and second network addresses are one of an Internet protocol (IP) address, a media access control (MAC) address, or an electronic serial number (ESN) (Parker teaches the use of Internet Protocol addresses, as disclosed in Paragraph [0019]).

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12. In regards to Claim 5, the combination of Berezowski, Ellis, Parker, and Schoen teach the system of Claim 1 wherein the communication network comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure (Berezowski teaches communications over networks such as Digital Subscriber Lines, as disclosed in Paragraph [0128]).

13. In regards to Claim 6, the combination of Berezowski, Ellis, Parker, and Schoen teach the system of Claim 1 wherein the communication network is the Internet (Berezowski teaches communication over the Internet 190, as described in Paragraph [0060]).

14. In regards to Claim 7, the combination of Berezowski, Ellis, Parker, and Schoen teach the system of claim 1 wherein the at least one first media peripheral comprises one or more of a digital camera, a digital camcorder, a video camera, a television, a personal computer, a CD player, a home juke-box, a multi-media gateway device, a multi-media personal digital assistant, a DVD player, a tape player, a microphone, and/or a MP3 player (Berezowski teaches the use of Television Equipment 130 including Output Device 140, Set-top Box 142, Video Camera 152, as shown in Fig. 1 and described in Paragraphs [0047-0053]; with further reference to Paragraph [0042]).

15. In regards to Claim 8, the combination of Berezowski, Ellis, Parker, and Schoen teach the system of Claim 1 further comprising: at least one second media peripheral, at the second home (Berezowski teaches second User Television Equipment 130 including Audio/Visual Equipment 150 such as Video Camera 152 of Fig. 1, as



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described in Paragraph [0053]; with further reference to Paragraphs [0060-0061, 0127-0130]), for the production of media wherein the server software supports exchange of the media from the at least one second media peripheral to the first television display for consumption in a real time manner (Parker teaches Server 35 used for the exchange of media between Computer Workstation 12 and Set-top Box 21 by way of Video Cameras 15 and 22, as described in Paragraph [0017]; with further reference to Paragraph [0025, 0032] and Fig. 5).

16. In regards to Claim 9, the combination of Berezowski, Ellis, Parker, and Schoen teach the system of Claim 8 wherein the at least one second media peripheral comprises one or more of a digital camera, a digital camcorder, a video camera, a television, a personal computer, a CD player, a home juke-box, a multi-media gateway device, a multi-media personal digital assistant, a DVD player, a tape player, a microphone, and/or a MP3 player (Berezowski teaches the use of second Television Equipment 130 including Output Device 140, Set-top Box 142, Video Camera 152, as shown in Fig. 1 and described in Paragraphs [0047-0053]; with further reference to Paragraph [0042]).

17. In regards to Claim 10, the combination of Berezowski, Ellis, Parker, and Schoen teach the system of Claim 8 wherein the exchange of the media from the at least one first media peripheral to the second television display, and the exchange of the media from the at least one second media peripheral to the first television display occur concurrently (Parker teaches the exchange of media by way of Video Cameras 15 and

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22 at the respective user locations, as described in Paragraph [0032] and shown in Fig. 5).

18. In regards to Claim 11, the combination of Berezowski, Ellis, Parker, and Schoen teach the system of Claim 1 further comprising: at least one sensor for detecting a condition, at the first home; and the detection of the condition causing the initiation of a request to exchange media with the second home (Berezowski teaches the use of Sensors 158 to initiate the exchange of information between users, as disclosed in Paragraphs [0056-0061, 0132-0134]).

19. In regards to Claim 12, the combination of Berezowski, Ellis, Parker, and Schoen teach the system of Claim 11 wherein the at least one sensor comprises one or more of a door bell button, a passive infrared (PIR) motion detector, a microwave motion detector, a swimming pool water disturbance detector, a smoke detector, a fire detector, and/or other sensor suitable for the detection of conditions about a home (Berezowski teaches Sensors 158 can include sensors for motion, audio, light, heat, or smoke, as disclosed in Paragraph [0133]).

20. In regards to Claim 13, Berezowski teaches a system supporting the exchange of media in a communication network (as shown in Figs. 1 and 2, with multiple identical User Television Equipment 130s), the system comprising:

at least one media peripheral, at a first home, for the production of media comprising audio and/or video (Audio/Visual Equipment 150 such as Video Camera 152 of Fig. 1, as described in Paragraph [0053]);

a first set top box circuitry, at the first home, communicatively coupling the at least one media peripheral to the communication network (Set-top Box 142 of Fig. 1, as described in Paragraphs [0048-0051]; with further reference to Communications Links 104, 136, 138, and 190, as described in Paragraphs [0047-0060]),

a television display, at a second home, for the consumption of media comprising audio and/or video (second User Television Equipment 130 of Fig. 1 having Output Device 146, as described in Paragraph [0050]);

a second set top box circuitry, at the second home, communicatively coupling the television display to the communication network (Set-top Box 142 of Fig. 1, as described in Paragraphs [0048-0051]; with further reference to Communications Links 104, 136, 138, and 190, as described in Paragraphs [0047-0060]),

Berezowski additionally discloses providing users with a guidance application in order to facilitate the retrieval of stored audio and video information (Paragraphs [0058-0059]) and organizing the presentation of real-time video feeds, such as that of Fig. 5 (Paragraphs [0078-0080]; with further reference to Paragraphs [0127-0130]).

Berezowski also teaches that information can be shared between two geographically disparate systems (Paragraph [0060-0061, 0127-0128]).

However, within the disclosure of Berezowski, it is unclear whether a graphical user interface, at the second home, having at least one view comprising a graphical representation of at least one user defined media channel for the communication of media comprising audio and/or video, the at least one user defined media channel comprising a graphical representation of a user selected and scheduled sequence of

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media content comprising audio and/or video, the graphical user interface operable to allow a user to immediately establish and/or to schedule automatic establishment of one or more streaming media sessions; second software resident in a memory at the second home configured to enable a user at the second home to construct, at the second home, the at least one user defined media channel; and communication of the at least one user defined media channel to other members that are at separate and distinct locations from the second home, in a peer-to-peer manner, from the second home.

In a similar field of invention, Ellis teaches a method and system in which “contributors”, such as individuals in a home, create personal television programs that can be distributed to multiple “viewers” over a communications network (Abstract). In particular, Ellis discloses that a Contributor 102 establishes times and dates in which the personal media is to be distributed and received by the Viewer 104 by way of Screen 196 of Fig. 14 (as described in Col. 11 Line 65—Col. 12 Line 3; with further reference to Col. 4 Lines 59-67). The Contributor can then use Submit Option 214 to transmit the personal channel to the Viewer, where the personal channel can then be played back in real time or from a suitable storage device (as described in Col. 12 Lines 8-53 and Col. 13 Line 29—Col. 14 Line 32; with further reference to the method of Fig. 15 and Col. 7 Lines 27-37).

Berezowski and Ellis each teach similar systems and techniques for supporting the exchange of media in a communication network. Berezowski teaches the use of a guidance application in order to aid in the retrieval, organization, and distribution of real-

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time and locally stored information. Ellis additionally teaches a graphical interface for allowing a contributing individual to establish times and dates in which to present personal media; where the personal media can be played back in real-time or from a local storage device. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and system of Berezowski to include the graphical interface for scheduling the distribution of personal media, as taught by Ellis, in order to provide the contributing user with greater control over the presentation of personal media content (as Ellis suggests in Col. 1 Lines 8-56).

Berezowski further teaches that information can be transferred between the two geographically disparate systems using networks such as a dial-up connection, integrated services designated network (ISDN), digital subscriber lines (DSL), a local area network connection (LAN), or a wide area network connection (WAN) (as disclosed in Paragraph [0128]). In addition, Berezowski discusses in Paragraph [0013] requiring users attempting to share information over the communications network to be verified by way of password access to a central server; with further reference to Paragraph [0128].

However, the combination of Berezowski and Ellis does not explicitly teach the first set top box circuitry having a first network address associated with a first user; the second set top box circuitry having a second network address associated with a second user; and first software that maintains a user defined group of users comprising the first and second users, wherein the first software receives a request identifying one of the associated first and second network addresses, and responds by identifying the other of

the associated first and second network addresses to support transmission of the media from the at least one first media peripheral to the second television display for consumption in a real time manner.

In a similar field of invention, Parker teaches a method and system for conducting two-way video telephony over a communications network such as the Internet (Abstract, Paragraph [0016]). Parker further teaches that devices on the communications network, such as Computer Workstation 12 and Set-top Box 21 of Fig. 1, are identified using data network addresses, such as Internet Protocol addresses, to enable the devices to exchange network packets or datagrams (as disclosed in Paragraph [0019]). In addition, Parker teaches Video Telephony and Record Database Server 35 for storing and making available to Service Provider 17 digital data pertaining to Requester 24 (as disclosed in Paragraph [0018]). Parker further discloses in Paragraph [0019] that when Requester 24 initiates a video telephony session with Service Provider 17 the IP addresses required for the two-way video connection can be preconfigured or can be determined using a lookup table maintained by Server 35. Parker also teaches the ability of a Requester 24 to select among multiple predefined service providers or enter identifying information using a computer mouse or keyboard (as disclosed in Paragraphs [0023]; with further reference to Paragraphs [0027-0034])

Each of Berezowski, Ellis, and Parker teach two-way video distribution methods over Internet based communication systems. Berezowski teaches user verification and authorization by way of a password prior to sharing information over the network. Parker teaches registering IP addresses with a central server and allowing users to

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establish two-way communications using the associated IP addresses. It would have been obvious to one skilled in the art at the time the invention to combine the exchange of media as taught by the Berezowski and Ellis with the system of the Parker in order to provide an accurate and reliable manner in which to transfer video between two locations in a real-time manner. A person of ordinary skill in the art would have been motivated to make such a modification to the Berezowski and Ellis references in order to allow for the proper routing and exchange of network packets between devices over a data network.

The combination of Berezowski, Ellis, and Parker does not explicitly teach wherein the user defined group of users is closed and secure with respect to others that are not members of the user defined group of users, wherein a member within the user defined group of users can privately share the media content comprising audio and/or video with one or more other members within the user defined group of users and the second software also configured to enable closed and secure communication within the user defined group of users.

In a similar field of invention, Schoen teaches a method and system for facilitating instant messaging using a secure instant message group policy certificate (Abstract). In particular, Schoen teaches the use of Instant Messaging Server 12 of Fig. 1 that is in communication with Instant Messaging Devices 14 and 16, such as televisions (as disclosed in Col. 6 Lines 1-43). Schoen further teaches allowing a user to select a desired group of buddies for designation on a secured buddy list (as described in Col. 10 Line 53—Col. 11 Line 47 and shown in Steps 400-404 of Fig. 4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method and system of two-way video distribution over Internet based communication systems, as taught by the combination of Berezowski, Ellis, and Parker, with the user designation of user groups on a secured buddy list maintained by a central server, as taught by Schoen, in order to prevent users outside of a designated group from accessing private or confidential information (as Schoen discusses in Col. 2 Lines 18—Col. 3 Line 20).

- 21. Claim 14 is met as previously discussed with respect to Claim 2.
- 22. Claim 15 is met as previously discussed with respect to Claim 5.
- 23. Claim 16 is met as previously discussed with respect to Claim 7.
- 24. Claim 17 is met as previously discussed with respect to Claim 3.
- 25. Claim 18 is met as previously discussed with respect to Claim 11.
- 26. Claim 19 is met as previously discussed with respect to Claim 12.

27. In regards to Claim 20, Berezowski teaches a method of supporting the exchange of media in a communication network (as described in Paragraphs [0041-0054, 0065] and Fig. 4). Berezowski further teaches that media content comprising audio and/or video can be transferred between the two geographically disparate systems using networks such as a dial-up connection, integrated services designated network (ISDN), digital subscriber lines (DSL), a local area network connection (LAN), or a wide area network connection (WAN) (as disclosed in Paragraph [0128]; with further reference to Guidance Application Equipment 170, as described in Paragraph



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[0043, 0058, 0059, 0099]; with further reference to Paragraphs [0127-0130]). In addition, Berezowski discusses in Paragraph [0013] requiring users attempting to share information over the communications network to be verified by way of password access to a central server; with further reference to Paragraph [0128].

Berezowski additionally discloses providing users with a guidance application in order to facilitate the retrieval of stored audio and video information (Paragraphs [0058-0059]) and organizing the presentation of real-time video feeds, such as that of Fig. 5 (Paragraphs [0078-0080]; with further reference to Paragraphs [0127-0130]).

Berezowski also teaches that information can be shared between two geographically disparate systems (Paragraph [0060-0061, 0127-0128]).

However, within the disclosure of Berezowski, it is unclear whether a process of receiving input from a user, at the first location, wherein said receiving input comprises immediately establishing one or more streaming media sessions and/or automatically establishing one or more streaming media sessions; transmitting a request to transmit the media comprising audio and/or video, to the second location, via the communication network; and transmitting the media comprising audio and/or video in a real time manner, via the communication network, between the first location and the second location are performed; constructing, at the first location, one or more media channels from user selected and scheduled media content; and communicating in a peer-to-peer manner the one or more media channels from the first location to the second location.

In a similar field of invention, Ellis teaches a method and system in which “contributors”, such as individuals in a home, create personal television programs that

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can be distributed to multiple “viewers” over a communications network (Abstract). In particular, Ellis discloses that a Contributor 102 establishes times and dates in which the personal media is to be distributed and received by the Viewer 104 by way of Screen 196 of Fig. 14 (as described in Col. 11 Line 65—Col. 12 Line 3; with further reference to Col. 4 Lines 59-67). The Contributor can then use Submit Option 214 to transmit the personal channel to the Viewer, where the personal channel can then be played back in real time or from a suitable storage device (as described in Col. 12 Lines 8-53 and Col. 13 Line 29—Col. 14 Line 32; with further reference to the method of Fig. 15 and Col. 7 Lines 27-37).

Berezowski and Ellis each teach similar systems and techniques for supporting the exchange of media in a communication network. Berezowski teaches the use of a guidance application in order to aid in the retrieval, organization, and distribution of real-time and locally stored information. Ellis additionally teaches a graphical interface for allowing a contributing individual to establish times and dates in which to present personal media; where the personal media can be played back in real-time or from a local storage device. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and system of Berezowski to include the graphical interface for scheduling the distribution of personal media, as taught by Ellis, in order to provide the contributing user with greater control over the presentation of personal media content (as Ellis suggests in Col. 1 Lines 8-56).

However the combination of Berezowski and Ellis does not explicitly teach maintaining a user defined association of a first network address with respect to a first

location and a second network address with respect to a second location; authenticating the first location to the second location; and receiving an acceptance from the second location.

In a similar field of invention, Parker teaches a method and system for conducting two-way video telephony over a communications network such as the Internet (Abstract, Paragraph [0016]). Parker further teaches that devices on the communications network, such as Computer Workstation 12 and Set-top Box 21 of Fig. 1, are identified using data network addresses, such as Internet Protocol addresses, to enable the devices to exchange network packets or datagrams (as disclosed in Paragraph [0019]). In addition, Parker teaches Video Telephony and Record Database Server 35 for storing and making available to Service Provider 17 digital data pertaining to Requester 24 (as disclosed in Paragraph [0018]). Parker further discloses in Paragraph [0019] that when Requester 24 initiates a video telephony session with Service Provider 17 the IP addresses required for the two-way video connection can be preconfigured or can be determined using a lookup table maintained by Server 35. Parker also teaches the ability of a Requester 24 to select among multiple predefined service providers or enter identifying information using a computer mouse or keyboard (as disclosed in Paragraphs [0023]; with further reference to Paragraphs [0027-0034])

Each of Berezowski, Ellis, and Parker teach two-way video distribution methods over Internet based communication systems. Berezowski teaches user verification and authorization by way of a password prior to sharing information over the network. Parker teaches registering IP addresses with a central server and allowing users to

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establish two-way communications using the associated IP addresses. It would have been obvious to one skilled in the art at the time the invention to combine the exchange of media as taught by the Berezowski and Ellis with the system of the Parker in order to provide an accurate and reliable manner in which to transfer video between two locations in a real-time manner. A person of ordinary skill in the art would have been motivated to make such a modification to the Berezowski and Ellis references in order to allow for the proper routing and exchange of network packets between devices over a data network.

The combination of Berezowski, Ellis, and Parker does not explicitly teach establishing a user defined group of users having a plurality of members, wherein the user defined group of users is closed and secure with respect to others that are not members of the user defined group of users, wherein a member within the user defined group of users can privately share the media comprising audio and/or video content with one or more other members within the user defined group of users via a closed and secure communication.

In a similar field of invention, Schoen teaches a method and system for facilitating instant messaging using a secure instant message group policy certificate (Abstract). In particular, Schoen teaches the use of Instant Messaging Server 12 of Fig. 1 that is in communication with Instant Messaging Devices 14 and 16, such as televisions (as disclosed in Col. 6 Lines 1-43). Schoen further teaches allowing a user to select a desired group of buddies for designation on a secured buddy list (as described in Col. 10 Line 53—Col. 11 Line 47 and shown in Steps 400-404 of Fig. 4).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method and system of two-way video distribution over Internet based communication systems, as taught by the combination of Berezowski, Ellis, and Parker, with the user designation of user groups on a secured buddy list maintained by a central server, as taught by Schoen, in order to prevent users outside of a designated group from accessing private or confidential information (as Schoen discusses in Col. 2 Lines 18—Col. 3 Line 20).

28. Claim 21 is met as previously discussed with respect to Claim 2.

29. Claim 22 is met as previously discussed with respect to Claim 5.

30. Claim 23 is met as previously discussed with respect to Claim 1.

31. In regards to Claim 24, the combination of Berezowski, Ellis, Parker, and Schoen teach the method of Claim 20 wherein the authenticating uses a digital certificate (Parker teaches the use of policy certificates in a public key infrastructure, as described in Col. 4 Lines 8-38).

32. Claim 25 is met as previously discussed with respect to Claim 10.

33. In regards to Claim 26, Berezowski teaches a system supporting the exchange of media in a communication network (as shown in Figs. 1 and 2, with multiple identical User Television Equipment 130s), the system comprising:

a first set top box circuitry, at a first home, the first set top box circuitry operable to communicate via a communication network with second set top box circuitry, at a second home (User Television Equipment 130s communicate by way of Communication

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Links 104 and 190, as described in Paragraphs [0047-0060]); and sharing media content comprising audio and/or video (information can be shared between two geographically disparate systems, as described in Paragraph [0060-0061, 0127-0128]).

However, within the disclosure of Berezowski, it is unclear whether a graphical user interface, at the first home, having at least one view comprising a graphical representation of at least one user defined media channel for the communication of media comprising audio and/or video, the at least one user defined media channel comprising a graphical representation of a user selected and scheduled sequence of media content comprising audio and/or video, the graphical user interface operable to allow a user to immediately establish and/or to schedule automatic establishment of one or more streaming media sessions; second software resident in a memory at the first home configured to enable a user at the first home to construct, at the first home, the at least one user defined media channel; and communication of the at least one user defined media channel to other members that are at separate and distinct locations from the first home, in a peer-to-peer manner, from the first home.

In a similar field of invention, Ellis teaches a method and system in which “contributors”, such as individuals in a home, create personal television programs that can be distributed to multiple “viewers” over a communications network (Abstract). In particular, Ellis discloses that a Contributor 102 establishes times and dates in which the personal media is to be distributed and received by the Viewer 104 by way of Screen 196 of Fig. 14 (as described in Col. 11 Line 65—Col. 12 Line 3; with further reference to Col. 4 Lines 59-67). The Contributor can then use Submit Option 214 to

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transmit the personal channel to the Viewer, where the personal channel can then be played back in real time or from a suitable storage device (as described in Col. 12 Lines 8-53 and Col. 13 Line 29—Col. 14 Line 32; with further reference to the method of Fig. 15 and Col. 7 Lines 27-37).

Berezowski and Ellis each teach similar systems and techniques for supporting the exchange of media in a communication network. Berezowski teaches the use of a guidance application in order to aid in the retrieval, organization, and distribution of real-time and locally stored information. Ellis additionally teaches a graphical interface for allowing a contributing individual to establish times and dates in which to present personal media; where the personal media can be played back in real-time or from a local storage device. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and system of Berezowski to include the graphical interface for scheduling the distribution of personal media, as taught by Ellis, in order to provide the contributing user with greater control over the presentation of personal media content (as Ellis suggests in Col. 1 Lines 8-56).

Berezowski further teaches that information can be transferred between the two geographically disparate systems using networks such as a dial-up connection, integrated services designated network (ISDN), digital subscriber lines (DSL), a local area network connection (LAN), or a wide area network connection (WAN) (as disclosed in Paragraph [0128]). In addition, Berezowski discusses in Paragraph [0013] requiring users attempting to share information over the communications network to be verified

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by way of password access to a central server; with further reference to Paragraph [0128].

However, the combination of Berezowski and Ellis does not explicitly teach the first set top box circuitry having a first network address associated with a first user; the second set top box circuitry having a second network address associated with a second user; and first software that maintains a user defined group of users comprising the first and second users, wherein the first software receives a request identifying one of the associated first and second network addresses, and responds by identifying the other of the associated first and second network addresses to support transmission of the media from the at least one first media peripheral to the second television display for consumption in a real time manner.

In a similar field of invention, Parker teaches a method and system for conducting two-way video telephony over a communications network, such as the Internet (Abstract, Paragraph [0016]). Parker further teaches that devices on the communications network, such as Computer Workstation 12 and Set-top Box 21 of Fig. 1, are identified using data network addresses, such as Internet Protocol addresses, to enable the devices to exchange network packets or datagrams (as disclosed in Paragraph [0019]). In addition, Parker teaches Video Telephony and Record Database Server 35 for storing and making available to Service Provider 17 digital data pertaining to Requester 24 (as disclosed in Paragraph [0018]). Parker further discloses in Paragraph [0019] that when Requester 24 initiates a video telephony session with Service Provider 17 the IP addresses required for the two-way video connection can be



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preconfigured or can be determined using a lookup table maintained by Server 35.

Parker also teaches the ability of a Requester 24 to select among multiple predefined service providers or enter identifying information using a computer mouse or keyboard (as disclosed in Paragraphs [0023]; with further reference to Paragraphs [0027-0034])

Each of Berezowski, Ellis, and Parker teach two-way video distribution methods over Internet based communication systems. Berezowski teaches user verification and authorization by way of a password prior to sharing information over the network.

Parker teaches registering IP addresses with a central server and allowing users to establish two-way communications using the associated IP addresses. It would have been obvious to one skilled in the art at the time the invention to combine the exchange of media as taught by the Berezowski and Ellis with the system of the Parker in order to provide an accurate and reliable manner in which to transfer video between two locations in a real-time manner. A person of ordinary skill in the art would have been motivated to make such a modification to the Berezowski and Ellis references in order to allow for the proper routing and exchange of network packets between devices over a data network.

The combination of Berezowski, Ellis, and Parker does not explicitly teach wherein the user defined group of users is closed and secure with respect to others that are not members of the user defined group of users, wherein a member within the user defined group of users can privately share media content with one or more other members within the user defined group of users and the second software also

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configured to enable closed and secure communication within the user defined group of users.

In a similar field of invention, Schoen teaches a method and system for facilitating instant messaging using a secure instant message group policy certificate (Abstract). In particular, Schoen teaches the use of Instant Messaging Server 12 of Fig. 1 that is in communication with Instant Messaging Devices 14 and 16, such as televisions (as disclosed in Col. 6 Lines 1-43). Schoen further teaches allowing a user to select a desired group of buddies for designation on a secured buddy list (as described in Col. 10 Line 53—Col. 11 Line 47 and shown in Steps 400-404 of Fig. 4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method and system of two-way video distribution over Internet based communication systems, as taught by the combination of Berezowski, Ellis, and Parker, with the user designation of user groups on a secured buddy list maintained by a central server, as taught by Schoen, in order to prevent users outside of a designated group from accessing private or confidential information (as Schoen discusses in Col. 2 Lines 18—Col. 3 Line 20).

- 34. Claim 27 is met as previously discussed with respect to Claim 1.
- 35. Claim 28 is met as previously discussed with respect to Claim 2.
- 36. Claim 29 is met as previously discussed with respect to Claim 5.
- 37. Claim 30 is met as previously discussed with respect to Claim 7.
- 38. Claim 31 is met as previously discussed with respect to Claim 3.
- 39. Claim 32 is met as previously discussed with respect to Claim 11.

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40. Claim 33 is met as previously discussed with respect to Claim 12.

### ***Conclusion***

41. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

42. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICK A. RYAN whose telephone number is (571)270-5086. The examiner can normally be reached on Mon to Thur, 8:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. A. R./  
Examiner, Art Unit 2427  
Friday, October 08, 2010

/Scott Beliveau/  
Supervisory Patent Examiner, Art Unit 2427